

Rule 6. Discovery

(a) Leave of court required. A party may invoke the processes of discovery available under the Superior Court Rules of Criminal Procedure or Rules of Civil Procedure (Civil Rules 26-37) or elsewhere in the usages and principles of law if, and to the extent that, the judge in the exercise of his or her discretion and for good cause shown grants leave to do so, but not otherwise. If necessary for effective utilization of discovery procedures, counsel shall be appointed by the judge for a movant who qualifies for appointment of counsel under D.C. Code § 11-2601.

(b) Requests for discovery. Requests for discovery involving interrogatories, requests for admission, or requests for documents under the Rules of Civil Procedure shall be accompanied by a statement of the interrogatories or requests for admission and a list of the documents, if any, sought to be produced. Requests to conduct depositions under the Rules of Civil or Criminal Procedure shall be accompanied by a list of the persons to be deposed and a brief description of testimony to be elicited.

(c) Expenses. If the government is granted leave to take the deposition of the movant or any other person, the judge may as a condition of taking it direct that the government pay the expenses of travel and subsistence and fees of counsel for the movant to attend the taking of the deposition.

COMMENT

The equivalent federal rule has been modified to clarify the practice if depositions are held under the Rule.